

OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION

ORIGINAL

For Commission Use Only:

Case: 05-0495

ILLINOIS  
COMMERCE COMMISSION

FORMAL COMPLAINT

2005 AUG -51 A 11: 27

Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, Illinois 62701

CHIEF CLERK'S OFFICE

Regarding a complaint by (Person making the complaint):

DARLAN GORDON

Against (Utility name):

Commonwealth Edison Complaint #2004-259395

As to (Reason for complaint)

Com-ED has applied a bill to me from a person who had service turned on in a building I previously owned

in Chicago Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is

2581 E. 200th ST. LYNNWOOD, IL 60411

The service address that I am complaining about is

720 W. 51st Chgo, IL 60621

My home telephone is

(773) 469-9522

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at

(773) 469-9522

(Full name of utility company)

Commonwealth Edison

(respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.

Illinois Administration Code Ch 7 S 200.335 Sub B

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?

☒ Yes ☐ No

Has your complaint filed with that office been closed?

☐ Yes ☒ No

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

- SEE Attached -

Please clearly state what you want the Commission to do in this case:

I would like the commission to investigate and waive all charges from Mr. Upshaw that are currently attached to my bill. Thank You.

Date: 8/26/05  
(Month, day, year)

Complainant's Signature [Signature]

If an attorney will represent you, please give the attorney's name, address, and telephone number.

You need to file the original with the Commission. Also, provide one copy for each utility complained about (referred to as respondents).

#### VERIFICATION

A notary public must witness the completion of this part of the form.

I, Darlan Gordon, first being duly sworn, say that I have read the above petition and know what it says.  
The contents of this petition are true to the best of my knowledge.

(Signature) [Signature]

Subscribed and sworn/affirmed to before me on (month, day, year) July 26, 2005

[Signature]  
Notary Public, Illinois

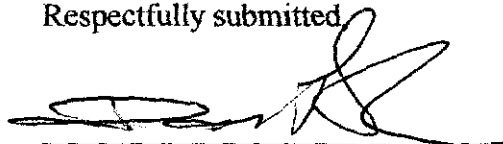


**NOTE:** Failure to answer all of the questions on this form may result in this form being returned without processing. If you have questions, please call the counselor in the Consumer Services Division that handled your informal complaint.

To: Illinois Commerce Commission  
From: Darlan Gordon  
Date: 07/25/05  
Re: Complaint #2004-25939s

In Nov. 2001 I purchased a property located at 720 W. 51st Chicago, Ill. There was no electrical service or any other utilities in service, the property needed a total rehab as it was a shell. In approx. Sept. 2002 Mr. Walter Upshaw approached me about purchasing the building. At the time the building was in demolition. Mr. Upshaw agreed to purchase the property if we did a Agreement to purchase the property (Articles of Agreement for Quit Claim Deed). My Attorney Steven Probst drew up the documents as Mr. Upshaw wanted to be sure that as he was repairing the building in order to re-finance it in order to pay us the balance we could not take possession of the building. These documents we recorded with the courts as the Judge wanted to make sure the person taking possession of the property had hired or had the capabilities to repair the property. There was a payment schedule made. Mr. Upshaw took possession of the property. Mr. Upshaw had utilities turned on in the building. Several months later Mr. Upshaw said he could not complete the purchase the property, as a refinance on one of his properties didn't come through and he didn't have the funds. Through an associate of mine I arranged a \$5,000.00 advance (Promissory Note) for Mr. Upshaw to try and complete. He never completed the project and said he could not purchase the property. Because he did not comply with the provisions we went to court and took back possession of the property. In approx. March 2003 I called Com-Ed as well as other utilities to have them put into my name. I paid the first months bill, on the second month they added Mr. Upshaws bill approx. \$1700.00 to my bill. I immediately complained, they said they would investigate. Originally, they switched it back to Mr. Upshaw, then they put it back on me as Mr. Upshaw said he was only a General Contractor, and never was going to purchase the property. I sent all the documentation referenced above to Com-Ed., they reviewed all the information and said since I owned the building I was responsible for the bill even if the utilities were not in my name and I never started the account. They switched the bill to my home and my utilities have been cut off because of this even though I have stayed current on my bill. It is definitely unfair that I be made to pay someone's bill and my personal utilities be turned off because I owned a property. I would appreciate it very much if you can investigate this matter and have it straightened out as this has gone on for over 2 years.

Respectfully submitted



Darlan Gordon

Any questions I may be reached @ (773) 469-9522 cell (708) 474-3462 home